DEUEL PUTS IN A DEFENCE (

BACKED BY AFFIDAVITS OF PRAISE FROM FELLOW JUDGES.

Expatiates in Lengthy Document Filed With the Appellate Division About His "Dear Friendship" for Mann and Mrs. Wray - Not a "Town Toples" Employee.

The answer of Joseph M. Deuel to the etition made by William Travers Jerome. James W. Osborne and Edward M. Shepard for his removal from the Special Sessions bench because of his connection with the Town Topies Publishing Company was filed with the Appellate Division yesterday It consists mainly of an elaborate explanation of his reasons for affiliating hiself with the Town Topics company, supplemented by numerous affidavits from other persons who swear to their belief in Justice Deuel's official and private integrity.

When the petition for his removal was submitted to the court, Justice Deuel, through his counsel, Edward Latuerbach, filed a demurrer, in which he sought to show that the petition was insufficient in itself and that the legal provisions invoked for his removal were unconstitutional.

The Appellate Division overruled his objections and directed him to answer to the charges in the petition, holding substantially that no member of the bench may engage in any private business during his tenure of office. If he desires to do so at any time, the Court commented, he is at perfect liberty to resign from the bench.

ment covering nineteen pages, in which he expatiates upon his "dear friendship" for many years past with Col. William d'Alton Mann, the bewhiskered editor of Tourn Topics, and with Col. Mann's daughter, Mrs. Emma Mann Wray, who is the principal stockholder of the Town Topics Publishing Company.

To the company, Deuel maintains, he gave only the benefit of his advice and counsel, at the earnest request and solicitation of Col. Mann and Mrs. Wrav. He denies emphatically that he was ever employed by or interested in the business end of the Town Topics Publishing Company. His connection with the publication of

Fads and Fancies." the book which the Town Topics Publishing Company got out n a limited edition, to depict the alleged ments of rich New Yorkers, Justice Deuel explains in this way:

When the matter of publishing "Fads and Fancies" came up in 1903 as a business proposition in the company he had no idea that he would be reappointed to the Court of Special Sessions, as he was at the beginning of 1904. His term of office being about to expire, he thought it would be a good idea to get into some business, and he considered that there was a desirable opening for him in the "Fads and Fancies" proj-

He never, he says, gave up any of his official time to the project, and mainly devoted himself to the new publication in the evenings or on off days. He absolutely denies having neglected his official duties to further the "Fads and Fancies" project.

The above explanation is substantially the same as that which he gave on the witness stand at the trial of his criminal libel proceedings against Norman Hapgood. Under cross-examination then, as he does in his answer, he laid great stress, in justification of himself, on the labor and study he had devoted to the processes of the new Children's Court. He points out that he practically drafted the legislation which was enacted for the procedure in that court. These and other services in the same connection, he thinks, should be considered by the Appellate Division.

Deuel attaches to his answer the letter which he wrote to District Attorney Jerome on December 23 last, relating to his charge of criminal libel against Hapgood. He and Mrs. Wrav, in which both declare that Justice Deuel was merely their friend and legal adviser and not in any way an employee of the Town Topics Publishing Company.

Similiar affidavits signed by William L. Daniels, the secretary and treasurer of the company, and by J. Alexander Patten, Stephen Fiske and Charles Hanson Towne. writers for Town Topics, are also made part of the answer.

His five associates on the Special Sessions bench, Justices McKean, Wyatt, Olmstead, McAyoy and Zeller, have subscribed to a joint affidavit praising Deuel, the concluding sentence of which reads:

In my contact with and observation of said respondent, and my association with him as a Justice of the Court of Special Sessions, I have found him to be, and now regard him, as a thoroughly conscientious, upright, considerate, and fearless Judge. There is also a separate affidavit from

Justice Olmsted, in which he speaks very highly of his regard for Justice Deuel ooth as a man and a judge. City Magistrates have added their testimony to this effect in the shape of affidavits. The answer will not be considered by the

Appellate Division for some days. If it is not accepted as a complete refutal of the charges contained in the petition the court will then determine whether the charges are sufficiently proved in the petition itself, or whether it is necessary to appoint referee to hear and report on the questions raised.

FOUND HER BOY HUSBAND.

Woman Wounded in Russian Massacres Had Smuggled Him to Safety.

Max Feltman of 129 Monroe street, nineteen-year-old husband, was accused of non-support in the Essex Market police court vesterday by his twenty-nine-yearold wife, Massa Feltman of 512 East Twelfth street. The woman said he came to America two years ago, leaving her in

According to the woman's story, she met Feltman four years ago when he was 15. Two years later she married him in Ekatarinoalay. Russia. Then he fell under the suspicion of the Russian secret service men and Massa spirited him away, but couldn't get him out of the country because he had no passport. A married brother of Max's at last lent his own and Massa supplied 1,000 rubles, which she collected from friends. Max reached America all right

riends. Max reached America all right and then forgot Massa.

The latter, meantime, was having trouble of her own. After Max disappeared, ac-cording to her story, she came under sus-picion too and had to remain in hiding or months. Then came the masseres and she was found in her hiding place, shot in the leg, wounded in the shoulder and so badly used up that she recovered only after several months. Then she, too, got away from Russia, came to New York and started to trail Max. That was seven weeks ago. She found him three days ago and secured a warrant for his

Max denied most of her statements and Max denied most of her statements and declared he had never maxried her. Then Massa produced a paper written in Yiddish. The court interpreter declared it to be a marriage certificate. When Max was fairly cornered he admitted that he had married the woman, but claimed that he did so only because he was frightened into it by the married the relatives.

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OLDSMOBILE CO. OF N. Y. Broadway and 51st Street

GOT SILK THIEVES AND SILK.

FAINT CLUES FOLLOWED UP TO IMPORTANT ARREST.

Warehouse on First Ave. Looted About Dawn; Case Solved Before Evening New Trunks in Transit Cause Capture of Two Crooks With Silk Records.

Detectives Skelly and Van Twistern of the East Sixty-seventh street station house did a clever piece of work vesterday in running down a group of silk thieves. The police think that the arrests will lead to others and thereby put an end to the many silk robberies that have baffled the men in the Central Office for some time.

When Louis Pearlman, a dealer in silks, pened his place of business at 1488 First avenue vesterday morning at 8 o'clock, he found that the place had been looted by burglars and that silks valued at nearly \$4,000 had been carted away. Pearlman urried to the Fast Sixty seventh street police station and Skelly and Van Twistern were detailed to the case.

They examined the premises and found that the burglars had gained an entrance to the cellar of 1466 First avenue, had sawed their way through a wooden partition within an inch of a burglar alarm, and thus got into the cellar of Pearlman's establish-

The burglars had little difficulty in getting up to the first floor. Smashing open a door, they helped themselves to bags of Japanese silk. In their flight they left behind a brand new brace and bit and a copper saw. The detectives found these in the cellar of 1466.

Skelly and Van Twistern were at sea as to ow they were going to solve the mystery. At last they began to canvass the neighborhood in the hope that some one might have been astir early in the morning and seen the thieves departing from Pearlman's.

They were rewarded for their efforts, for after a search of half an hour they came across a milkman, who said he had seen three or four men carrying bags from in front of the silk establishment and that they had turned the corner of Seventy-seventh street and continued west.

seventh street and continued west.
The detectives hustled through Seventy
seventh street, questioning people they
found on the street. Finally their attention was attracted by an express wagon
in front of a boarding house at 348 East
Seventy-seventh street. They waited and
saw the driver come out with two brand
new trunks, which he placed in the wagon. low the express wagon and see where it went. He followed the rig to 987 Second avenue, where the trunks were unloaded and taken upstairs.

and taken upstairs.

The stool pigeon hung around for a time and soon another wagon drove up and got the trunks. The driver of this second wagon proceeded to Forty-first street and Broadtold him to continue to the Broadway Cen-tral Hotel. av and there was met by two men, who

The detectives were notified of this and they hurried to the hotel. They learned from the clerk that a pair of trunks had just been taken to the room of two men who had only come there in the morning and who had registered as Joseph Miller and Samuel Koch of Philadelphia. The detectives explained to the clerk who they were and were permitted to enter the room They found the trunks, opened them and saw at once that they contained the silks that had been stolen from Pearlman's establishment. The trunks were sent to the East Sixty-seventh street station house in the patrol wagon of the Mercer street

When the detectives entered the hotel coom the two men registered from Phila delphia were not in, so the sleuths decided to wait. About 5 o'clock last night the men went to the hotel, told the clerk they had decided to take rooms at another hotel, paid their bill and called a wagon to remove

when they entered the room the pair When they entered the room the pair were confronted by the two detectives with drawn revolvers. They threw up their hands and handcuffs were placed on them. They were taken to the East Sixty-seventh street station house and looked up. They gave their names there as Samuel Diamond and Joseph Rosenberg. The former said he lived at 987 Second avenue, to which place the trunks had been taken from the Seventy-seventh street boording house street boarding house

The detectives hustled around there and ound a woman who said she was the wife of found a woman who said she was the wife of Diamond. She was locked up as a suspicious person. According to the datectives, both men have criminal records. Rosenberg, they say, is an ex-convict, having done six years for stealing silk. Diamond, the detectives say, was sentenced to six months imprisonment on suspicion of being implicated in a silk robbery.

Rosenberg is a silk salesman and is employed by a concern on Broadway. He was immediately recognized by Pearlman, who said he had both bought goods from and sold goods to Rosenberg. The netectives were busy last night looking ofr another man, whom they described as a Western

man, whom they described as a Western crook, and who, they declared, was at the head of a gang of silk thieves. They said they expected to have this man before

Metric Bill Lost in Committee.

WASHINGTON, April 27 .- By a vote of to 5 the House Committee on Coinage, Weights and Measures to-day took adverse action on the bill to establish the metric system as the standard of weights and measures. Big Tim Sullivan, who left his Measures. Big I in Sulvan, who led his legislative duties at Albany to come to Washington and vote for the measure to Former Crop Statistician to Demur to the substitute centimetres for centipedes, we the only Democrat who favored the bill.

Army and Navy Orders

WASHINGTON, April 27 .- These army orders were issued to day:
Col. William H. Haur, Corps of Engineers, to
Pacine division. Pacific division.

Major Charles H. McKinstry, Corps Engineers, from Pacific division to Department of California.

Major Clarence Deems, Artillery Corps, from Fort Flagler to Fort Schuyler and command of that

Capt. Benjamin M. Purssell, Paymaster, from Capt. Benjamin M. Fursseit, Faymaster, from New Bedford to Boston.
First Lieut. George O. Duncan, Fifteenth Cavairy, to Department of California.
Capt. Walter M. Whitman. Thirteenth Cavairy, to fill vacancy in Quartermaster's department and proceed to Fort Riley, relieving Capt. Leon S. Roudfez. Quartermaster.
Second Lieut. Charles R. Alley, Artillery Corps, to West Point.
Capt. William Elliott, from Department of the Guif to Vancouver Barracks.
Capt. Charles C. Clark, from Department of the Lakes to Atlanta, Ga. Capt. Charles C. Clark, from Department of the Lakes to Atlanta, Ga.

The following First Lleutenants detailed as Captains to command companies of Phillippine scouts: First Lieut. Josephus S. Cecii. Nineteenth Infantry, to command the Forty third Company, vice Captillarry S. Howland, Ninth Infantry, recently promoted; First Lleut. Arthur W. Brown, Twenty seventh Infantry, to command Twenty sixth Company, vice First Lleut. Frederick C. Johnson, Second Cavalry, heretofore relieved.

These navy orders were issued: Lieutenant, Commander W. C. Herberi, to

mden. N. J. Lieut. W. B. Wells, from Annapolis to the St. woman's relatives.

Magistrate Steinert ordered him to pay ton to the Severn.

Assistant Surgeon P. T. Desses from to to the Severn.

Assistant Paymaster E. H. Van Patten, from Washington to the Asiatle station.

JEFFERSON'S MAUVE, \$42,250.

\$229.135 FOR THE LATE ACTOR'S SEVENTY-FOUR PAINTINGS.

His Rembrandt Portrait Bought for \$20. 600 to Be Taken Back to Holland by a Man Who Came Here for It, Arriving

Only the Day Before the Sale Began. Joseph Jefferson's collection of paintings were sold in Mendelssohn Hall last evening before a larger crowd than has attended an art auction in this hall in several years The gallery was filled, the small room back of the main audience room had to be thrown open and filled with chairs, and a number of people stood in the rear of the hall.

It was an audience largely drawn from among enthusiastic admirers of Mr. Jefferson, and they often started to applaud as they might do in a theatre. It was a differs ent sort of applause from that occasionally heard in the auction room when paintings are being sold. But there were picture lovers there, too, and with open purses.

Seventy-four paintings were sold for \$229,135. Thomas E. Kirby was the auctioneer. The upward trend in the prices of canvases by Anton Mauve is still marked. That painter's "Return of the Flock" was competed for most eagerly, and although at first some hesitant bidders seemed inclined to hold down to low advances, it took only a few minutes for them to perceive that they must wake up and expand their offerings or cease to hope for the picture. It was knocked down at \$12,250 to a firm of dealers who presumably purchased it on order for some collection.

While the bidding was going up toward the \$40,000 mark, a stocky man sitting well forward stood up and looked all around the room, as if to get a good look at people who were so anxious to spend real money for a painting. Mr. Jefferson purchased this canvas at the sale of Dr. Gerardus H. Wynkoop's collection in this city in 1890 A painting by Mauve with the same title,

A painting by Mauve with the same title, but a wholly different composition, was sold at the Thomas E. Waggaman auction in Mendelssohn Hall last year for \$40,200.

A good deal has been talked and written in recent years about American collectors being ready to pay such high prices for paintings that Europeans could not compete with them any more. A man arrived here from Holland day before yesterday, however, to buy Mr. Jefferson's Rembrandt and take it back to Holland with him, and he did buy back to Holland with him, and he did buy it and will carry it home with him. The painting is the oval panel. *Portrait of Petronella Buys, Wife of the Burgomaster Petronella Buys, Wife of the Burgomaster of Cardon." It sold at \$20,600 to A. Preyer, who bought it for Jhr. Teixerra de Mathos.

Anson it Flower took "Evening On the Oise," by Daubigny, at \$9,100. A study by Mauve, "Group of Cattle." sold at \$1,000. His painting, "The Loggers," which was one of Mr. Jefferson's most prized posessions, went at \$28,100. "The Madonna of the Cottage," by Israels, was bought under under a pseudonym for \$19,500. Corot's "The Horseman" was bought by Daniel Guggenheim for \$10,500.

Guggenheim for \$10,500. Following is the sale record in detail: andscape," Constable; J. Werthelm.
Fire Wood Nympa," Monticelli; A. Preyer,
Trgin and Child," Newman; W. Macbett,
Andscape and Old Mill," Unknown; E. Portrait of a Young Girl," Greuze; P. Peck-'Mephistopheles," Monticelli; Blank On the Dunes," Mauve; F. S. Flower The Old Red Horse," Mauve; E. R. Thomas, The Old Dun Cow," Mauve; Mrs. R. Nicker son.

'The Pensioner," Mauve: F. S. Flower....

Group of Cattle," Mauve: H. Nicola...

'Interior of the Barn," Mauve: J. R. An-

Two Panels-Figures, Diaz; C. M. Togue... "Evening on the Oise," Daubigny; A. R. Flower... Flower.

Landscape," Troyon, D. Guggenhelm

Landscape and Cattle," Van Marcke, W. A.
Schiffer.

"The Horseman," Corot, D. Guggenhelm

"A Group of Cattle," Troyon, B. Guggenhelm
helm. helm...
"The Fuglitive." Couture: Brioklyn Museum
"Environs of a French Village." Daubigny:
H. Nicola.
"Court Ladles in the Garden," Monticelli: L.
Raiston...

Raiston.

Raiston.

The Convent Garden." Monticelli: Blauk
Portrait of Mirabeau." Greuze: Blank
"The Flaherman." Earle: E. Trunkel.
"The Bull Fight." Goya: J. H. Hoadley
Portrait of Macready." Inman: E. Roberts.
Landscape English School; E. Maraida.
"Portrait of a Court Lady." Maes; J. Wertbett helm...
'St. John," West: W. Trevor...
'Portrait of a Courtler," Maes: Blank...
'The Death of Dido." Reynolds: Richmond.
'The Happy Family;" Blommers; Mrs. F. J. Robbins.... ortrait of Richard Brinsley Sheridan; Gainsborough; F. S. Flower... "The Harvest Queen: "Hoppier: E. Roberts
"The Mandolin Player:" Eugène: E. Maralda
"A Knight in Armor;" Unknown; C. A.
"The Young Player: Andrews. Learning to Write: "Kever: J. K. Morris Canal-Amsterdam: "Maris: A. R. Flower Plough Horses Resting: "Mauve: A. R. Plough Horses Hesting, Flower Mother and Child;" Neuhuys: Tooth &

gomaster of Cardon, Remorandi; A Prayer.
"Portrait of Himself, "Reynolds; A. Preyer.
"Portrait of Himself at Seventy Years," Reynolds; W. M. Van Norden.
"Portrait of an Unknown Gentleman,"
Mengs; W. B. Cutler.
"Portrait of Kemble," Harlow, J. Werthelm.
"The Bell Inn," Morland; Blank.
"Portrait of Canova," Lawrence; J. K., Morris.
"The Gypsy Girl," Inskipp; E. Roberts.
"Bacchante," Lawrence; B. Guggenhelm.
"Chartres," Guilmard; H. Katz.
"Portrait of Calvé In. "Carmen."; Eugène;
J. H. Hoadley.

Portrait of Caive in Caines
J. H. Hoadley.

"Cutting Her Lover's Name," Monticelli;
James Wilson.
"Still Life," Vollon, Glaenzer & Co.
"Landscape with Sheep—Twilight," Bonche;
F. S. Flower.
"The Sewing School," Kever; J. K. Morris.
"Landscape—Evening," De Bock; C. W. "Landscape—Evening." De Bock; C. W. Kraushaar... "The Madonna of the Cottage." Israels; G. "The Return of the Flock," Mauve; Scott, The Return of the Flock, Mauve; Scott, Fowles & Co.

The Loggers, Mauve; Stewart Barr.

"Peeding the Baby." Neuhuys; B. M. Baruch

"The Angestein Children," Lawrence; W. M.

Van Norden.

"Cattle on the Plains," Van Marcke; F. S.

Flower.

"Don Quixote and Sancho Panza," Dore;

E. Roberts.

E. S. HOLMES ARRAGINED.

Indictment. WASHINGTON, April 27. - Edward S. Holmes, Jr., formerly assistant statistician in the Department of Agriculture, was arraigned in Criminal Court No. 1 before Justice Gould to-day, on the charge of conspiracy in connection with the premature publication of official cotton reports of the Department of Agriculture. He was indicted jointly with Frederick H. Peck-ham and Moses Haas, both of New York, and the case was the outcome of the dis-closures last summer of alleged collusion between Holmes and Peckam and Haas in obtaining advance information of the condition and acreage of the cotton crop and using this information for the purpose of manipulating and speculating in the cot-

Holmes waived the reading of the lengthy indictment against him and entered a plea of not guilty. Peckham and Haas are still York pending the outcome of ex-n proceedings and were not arraigned

arraigned.
Attorney Wharton E. Lester, counsel for Holmes, gave notice of intention to withdraw the plea of not guilty and file a demurrer to the indictment. District Attorney Baker asked that the demurrer be filed within fifteen days, and the Court set that length of time as the limit for the filing of the demurrer. Mr. Baker also filing of the demurrer. Mr. Baker also added that he would not try the case at this term of court, but hoped to have it well advanced for trial next term.

SPOONER'S REPLY TO BAILEY.

He Describes the West of Injunction as the Bleht Arm of Jurisprudence.

WASHINGTON, April 27 .- Senator Spooner of Wisconsin resumed his speech on the rate bill shortly after the Senate met to-day, attacking the constitutionality of the Bailey amendment limiting the power of the courts to issue temporary injunctions suspending orders of the Interstate Commerce Commission. Throughout his remarks to-day the able lawyers on both sides of the chamber followed his argument with profound interest, subjecting him to but few interruptions. Mr. Baile volunteered a suggestion once or twice which he said was intended to explain his position more clearly. But there was none of those spirited colloquies which have characterized the progress of the rate bill

debate heretofore. Mr. Spooner opened with a tribute to the writ of injunction, which he described as "the right arm of equity jurisprudence. If Congress could cut off the right arm it could also cut off the left, and if it could cut off the arms it could take off the legs cut off the arms it could take off the legs, leaving the equity court as a mere headless, purposeless judicial trunk. The writ of injunction was the great preventive remedy, and equity inrisprudence had been established to give a preventive remedy which the law could not afford.

Toward the close of his speech he replied to Senator Bailey's charge that he had misquoted certain decisions of the Supreme Court. He had practised law for thirty-eight years and had always observed one of the first rules he learned as a student, never to mislead.

mever to mislead.

Mr. Bailey interposed the suggestion that he had never believed the Senator from Wis-

consin capable of misleading the Senate or any one. He had assumed that the Senator, for want of time, had intrusted the work of looking up authorities to a clerk, who had not given it the careful attention that the Senator himself would have done.

Replying to Mr. Bailey's assertion that the courts had refused to issue a writ of habeas corpus without legislative au-thority, Mr. Spooner said the power to thority, Mr. Spooner said the power to issue habeas corpus was not an inherent power of the court. The sourts of the United States derived no high prerogative or kingly writs from the jurisprudence of England. The same was true of the writ of mandamus. It was not an inherent power. It was distinguished from the writ of injunction, because the latter was a judicial power that inhered in an equity court. Senator Spooner concluded his speech shortly before 3 o'clock. He said the rate bill had enough doubtful features in it already without adding another that might endanger its validity.

endanger its validity.
At the conclusion of Mr. Spooner's speech
Senator Clarke of Arkansas addressed the

Senate on rate legislation.

Failing to reach an agreement for closing general debate, Mr. Tillman announced that on Monday he would "put on the screws," as he expressed it, and keep the rate bill before the Senate, to the exclusion of other business, until it was disposed of.

Mr. Bailey suggested that there ought to be an agreement to close general debate next Saturday, May 5, and Mr. Allison said he was in hearty accord with the suggestion. Senate on rate legislation.

suggestion.

Mr. Tillman announced that it was his

mr. Tillman announced that it was his intention to have each amendment to the bill, of which there are more than 100, taken up in its turn and considered and voted upon separately. It was expected the consideration of amendments would

the consideration of amendments would take more than a week.

Mr. Foraker proposed as an amendment to the bill the statute passed by the Ohio Legislature providing for a court review of orders made by the railroad commission of that State. The amendment provides a broad court review and prohibits the suspension of the orders of the commission by the commission of the commission without notice. temporary injunction without notice

WILLIAMS TALKS ON TARIFF. Says if Republicans Don't Revise It Demo-, crats Will.

WASHINGTON, April 27.-The tariff debate started in the House yesterday was continued to-day, Mr. Williams, the minority leader, being the only speaker, however, and he did not conclude his remarks. The House was into committee of the whole on the Agricultural Appropriation bill.

Mr. Williams first congratulated his fellow Democrats that they had finally "flushed the covey," that the insolent security of the Republicans had been shaken

security of the republicans and been staken and that they were acting like partridges, as a whole and individually.

"I have an impression," he said, "t hat if we could have fought this last campaign upon the line of common sense and sensible reduction and revision of the tariff to present the application." vent the exploitation of home consumers by concerns which exploited them under the shelter of a tariff while they sell cheaper to the foreigners we would have won the election. [Democratic applause.] And I have another idea, and I will give it to the constants of the personality of gentleman now, that the personality of your candidate had more to do with your gentleman now, that the personality of your candidate had more to do with your success than the strength of your party. And I have another idea, that is more a wonderment than an idea. I am wondering and sometimes dreaming of what will happen to the gentleman from Iowa (Mr. Hepburn), the gentleman from Pennsylvania (Mr. Dalzell), the gentleman from New York (Mr. Payne) and the gentleman from Indiana (Mr. Landis) and all the other leaders of the cohorts of standpatism when toward the tail end of this Congress, or during the next session of this Congress, the man in the White House (who carried your party to victory rather than the party carrying him) shall send a message to this House to revise and reduce the tariff. [Applause on the Democratic side.]

"It is in the air that he wanted to do it before this. It was asserted in the news-

"It is in the air that he wanted to do it before this. It was asserted in the newspapers, I do not know whether it was true or not, I hope not, that there was some sort of an agreement between him and the Speaker whereby he must hold back this box with all these serpents of discord from being turned loose among the Republican party, providing the Speaker would help him get through certain things that he con-sidered of primary and paramount import-ance at this moment. Let me tell you somesidered of primary and paramount importance at this moment. Let me tell you something. You have got to revise this tariff. If you don't we will—[Applause on the Democratic side]—because our commen masters, the people of America, have made up their minds that it shall be revised.

"I will tell you another thing. I am going to tell you a whole lot of things. You have got to pass a bill to admit Oklahoma and the Indian Territory as a State in this Union, and leave Arizona and New Mexico out. For if you don't we will, because the people, your masters and our masters, have made up their minds upon that point. I will tell you another thing. Your Republican Senate has got to pass a reasonable and right and just railroad rate bill, and if you don't that is another thing that we will do. I am not boasting of our strength, Mr. Chairman. I am regretting our weakness. I hope it is a weakness of the past. I notice more of homogeneity among Democrats more commoness of purpose, more unity of action than there has been for a long, long time. I am not predicating these things, however, so much upon our strength before the country as I am upon your weakness, upon the fact that you have neither the intellect nor the courage to take the bull by the horns and do the work yourselves. As surely as there is a sun in heaven, unless you do it the people will commission somebody else to do it."

Nominations by the President. WASHINGTON, April 27 .- The President to-day sent to the Senate the following

To be Collectors of Customs-John Peter son. District of Minnesota, and Charles T. Stanton, District of Stonington, Conn. Army-Commissary Major Albert D Kniskern to be Deputy Commissary-General with rank of Lieutenant Colonel; Commissary Captain Charles P. Stivers to be Commissary with rank of Major.

Artillery—Capts. John C. Brooks, George T. Bartlett, Charles A. Bennett and Edward

A. Millar to be Majors. Second Lieut. Pedro J. Parra to be First Lieutenant Porto Rican Regiment.



The absolutely pure

BAKING POWDER

Contains no alum, lime or phosphates.

SENATE TIRED OF RATE DEBATE

BUT DECLINES TO FIX A DATE FOR A VOTE.

enator Tillman Tries to Secure an Agreement on a Day and Is Supported by Mr. Allison The Idea Growing That Final Action Will Come Before May 20.

WASHINGTON, April 27.-The Senate is sick and tired of the railway rate bill debate. Nearly everybody is willing to concede that, and the hope is frequently and fervently expressed by Senators that the end will come soon. Little interest is taken in the general discussion, except when some noted lawyer like Mr. Spooner or Mr. Bailey has something to say. A feeling of lethargy has come over the upper house, and the discussion, to put it mildly,

is dragging. Senator Tillman, in charge of the rate bill, made another ineffectual effort to-day to secure an agreement as to the time when the vote should be taken. Mr. Allison supported the efforts of his Democratic associate and read the Senate a lecture for its delay. There was a suggestion from Mr. Bailey that general debate should cease on Saturday, May 5, but in the course of the talk that followed the question at issue was lost sight of and the Senate proceeded to other business without apparently knowing exactly how the rate matter happened to be dropped. Mr. Tillman managed, however, to make it known that beginning on Monday he would begin a series of attempts to have the rate bill considered until disposed of to the exclusion of all other legislation.

of all other legislation.

While there are widely different opinions as to the length of time the rate measure will consume before a vote is had, the idea is growing that final action will come before May 20. The prospect of spending the summer in Washington, particularly in a Congress campaign year, is worrying many Senators and Representatives, and they want to get away from the capital as soon want to get away from the capital as soon as possible. They realize that even after the rate bill has been enacted or defeated there will be enough unfinished business absolutely requiring attention to keep them here for another month. At the best they will hardly get away until some time late in June, according to the present out-

The leaders of the two Republican factions in the rate bill fight have about given up hope of reaching an agreement which hope of reaching an agreement which would insure the enactment of rate legisla-tion. They believe, however, or at least some of them do, that if the Senate once some of them do, that if the Senate once starts in to vote on the pending amendments to the bill the factions will get together in short order. For this reason there is a feeling, which found expression to-day, that the general debate on the measure will end in a short time and the amendments be taken up. One of the most prominent of the radical Republican element said this evening that he thought the general debate would cease by the end of next week and voting on the amendments, of which there are about a hundred, would be begun on are about a hundred, would be begun or the following Monday.

ARREST OF OUR FISHERMEN. State Department to Send a Protest to the

WASHINGTON, April 27.- A protest will be sent from the State Department to the concerning the action of the authorities of Newfoundland in arresting and fining the captain of two Gloucester fishing ves Channel, Newfoundland, for fis hing within the three mile limit with trawls Representative Gardner of Gloucester, who brought the matter to the attention of the State Department a few weeks ago, presented the fishing interest's side of the case.

Mr. Root asked for the court records so Mr. Root asked for the court records so that he could be sure of his facts. These have arrived and are now in Mr. Root's office. They substantiate fully the contentions of the fishermen. The State Department holds that the vessels were not liable to punishment under the law which the Newfoundland authorities enforced, on the ground that treaty rights of the on the ground that treaty rights of the Americans grant them certain privileges which the law in question prohibits

SMOOT CASE CONSIDERED.

Senate Committee R eported to Stand S to \$ in Favor of Unseating Him.

WASHINGTON, April 27.-The Senate Committee on Privileges and Elections considered the Smoot case to-day; but reached no conclusion. The opinions expressed in the meeting indicated that the committee stands eight to five in favor of declaring Senator Smoot disqualified. The committee after informal conference decided to meet again next Tuesday for further consideration of a tentative agreement that a vote would be taken on the character of the report on week from to-day. It was of the report one week from to-day. It was intimated that Senator Foraker would present the minority report in favor of

POLITICAL CONTRIBUTIONS. Senate Committee Reports Tillman's Bill

in Amended Form. WASHINGTON, April 27.-Senator For aker of Ohio from the Committee on Privileges and Elections to-day reported the bill introduced some time ago by Mr. Till-man of South Carolina to prohibit coperations from contributing to political cam-paign funds.

The committee amended the bill by striking out "corporations engaged in interstate or foreign commerce," leaving the pro-hibition to apply to national banks or any corporations organized by authority of any laws of Congress. It was also amende so as to apply not only to elections for mem-bers of Congress and Fresident, but also to State elections for United States Senators.

WASHINGTON, April 27 .- Representative

Underwood of Alabama to-day introduced a bill to authorize the President to negotiate trade contracts with foreign countries wherein mutual concessions shall be made looking to the expansion of our foreign trade. The measure provides that such contracts shall be subject to the approval

The Corning-Child Wedding. WASHINGTON, April 27.-Justice and Mrs

Harlan have issued invitations for the marriage of their granddaughter, Miss Edith Harian Child, to Erastus Corning of Albany, the ceremony to take place at the New York Avenue Presbyterian Church at 4 o'clock, May 17. A reception at the Harlan residence will follow.

House Passes 315 Pension Bills. WASHINGTON, April 27 .- Before proceed-

ing with further general debate on the Agricultural Appropriation bill to-day the House of Representatives cleared its calendar of the semi-monthly accumulation of private pension bills. Three hundred and fifteen were passed, about a third of which



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Movements of Naval Vessels.

WASHINGTON, April 27.—The monitor Monadnock has arrived at Hongkong, the battleship Texas at Boston, the cruisers Pennsylvania at North River, the gunboat Don Juan de Austria at Fajardo, the gunboat Elfrida at New York, the Tecumseh

at Washington, the colliers Brutus and Cæsar and the supply ship Glacier at Suez. The battleships Alabama, Illinois, Indiana and Iowa have sailed from Annapolis for Newport News, the cruiser Tacoma from Port Said for Alexandria, the cruiser Yankton from Guantanamo for New York, the collier Lebanon from Bradford for Lambert Point, the tug Potomac from Port Said for Suez and the supply ship Celtic from Guan-tanamo for New York via Hampton Roads.

COULD NOT REST NIGHT OR DAY

the Time and Hair Began to Fall Out—Wonderful Result From

APPLICATION OF CUTICURA REMEDIES

"I am never without Cuticura Soap

and Cuticura Ointment since I tried them last summer. About the latter part of July my whole body began to itch. I did not take much notice of it at first, but it began to get worse all the time, and then I began to get uneasy and tried all kinds of baths and other remedies that were recommended for skin humors; but I became worse all the time. My hair began to fall out and my scalp itched all the time. Especially at night, just as soon as I would get in bed and get warm, my whole body would begin to itch and my finger nail would keep it irritated and it was not long before I could not rest night or day. A friend asked me to try the Cuticura Remedies, and I did, and the first application helped me wonderfully. For about four weeks I would take a hot about four weeks I would take a not bath every night and then apply the Cuticura Ointment to my whole body; and I kept getting better, and by the time I used four boxes of Cuticura I was entirely cured, and my hair stopped for the cut but I continue to the the falling out, but I continue to use the Cuticura on my scalp. It keeps all dandruff out and scalp is always clean. I always use Cuticura Ointment on my face after shaving, and have found nothing to equal it. I will never be without it." D. E. Blankenship,

319 N. Del. St.,

Oct. 27, 1905. Indianapolis, Ind. RECOMMENDED TO ALL MOTHERS

"I have used Cuticura Ointment for chafing of infants, and as they grew older all skin diseases were given treatment with that and the Cuticura Soap I never found it necessary to call a doc-tor, as these Remedies are a sure cure if used as directed. I am glad to recom-mend them to all mothers." Sincerely yours, Mrs. F. A. Kennard, yours, Mrs. June 21, 1905. St. Paul Park, Minn. Cuticura Soap. Ointment, and Pills are sold throughout the world. Potter Drug. & Chem. Corp., Sole Props., Boston.



Light Draws Business

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THOMSON CO. Sales Agents, 393 Broadway. Between White and Walker Streets. NEW YORK.

Telephone 4810-11-12 Franklin. DIED.

BRILL .- On Friday, April 27, in the 76th year of her age, at her late residence, the Barnard. 110 Central Park West, after a short illness. Regina, widow of David Brill, and mother of Samuel, Max D., Maurice and Sidney D. Brill. and Mrs. Leo Frank, née Hattle Brill and Lexington av., Sunday morning, April 2 at 10 A. M. Relatives, friends and members Deborah Benevolent Sewing Society, Rodeph Sholom Sisterhood, Lena Invalid Ald Society. Hebrew Infant Asylum, Sewing Society of the Hebrew Orphan Asylum, the Amelia Relie Society, Ladies' Auxiliary for Home for Age and Infirm, Yonkers: Caroline Ald Society Monte Relief Society, Deborah Lodge No. 5. L. O. F. S. I., Auxiliary No. 2 Guild for Crippled Children, Young Women's Hebrew Asociation, Montenore Home and Ladies' Auxiliary Society of the Mount Sinal Hespital, are respectfully invited to attend the services

Chicago, St. Louis, Philadelphia and Indiana; DALY .- At 12 East 54th st., John Daly, after a lin Funeral services private. Interment at Troy

DE FOREST.-Suddenly at Asheville, N. C., or Thursday, April 26, Natalle, wife of Joinson de Forest, and daughter of Sturgis and Eliza-Funeral services at the residence of Robert V de Forest, 7 Washington Square North, of Sunday, April 29, at 2;30 P. M. Interment a convenience of the family. Kindly omit flow

MORRIS:- At her residene, 19 East 64th st., 67 Thursday, April 26, 1906, Eleanor Colforwife of Augustus Newbold Morris and daught of the late Gen. James I. Jones, in the 6511 year of her age.

Funeral services at Christ Church, Broadwa

and 718t st., on Saturday morning, April 28 10 o'clock. Relatives and friends are in the SUTRO .- On Friday, April 27, at her late residence

820 West 103d st., after a lingering Huness Florence C., dearly beloved wife of Theodor

Notice of funeral hereafter.